



HOWARD COUNTY HISTORIC DISTRICT COMMISSION
ELlicott City Historic District ■ LAWYERS HILL Historic District
3430 Courthouse Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

www.howardcountymd.gov

410-313-2350

FAX 410-313-3467

TDD 410-313-2323

November Minutes

The regular meeting for the year 2009 of the Historic District Commission was held on Thursday, November 5, 2009 in the Tyson II Room located at 8930 Stanford Boulevard in Columbia, Maryland.

Members present: Joseph Hauser, Chairman; Samuel Crozier, Vice Chairman; Eileen Tennor, Secretary; Lisa Badart and Robert Tennenbaum

Staff present: Samantha Stoney, Mina Hilsenrath, Jim Vannoy and Carol Stirn.

Chairman Joseph Hauser opened the meeting at 7:00 p.m. and asked the Commission members if there were any changes to the October 1, 2009 minutes. Eileen Tennor made a motion to approve the minutes as written; Lisa Badart seconded the motion. The motion passed unanimously. Mr. Hauser welcomed Robert Tennenbaum, the new member of the board. Samantha Stoney also welcomed Carol Stirn, who is acting as the new recording secretary.

- 1) #08-50c – 9564 Baltimore National Pike, Ellicott City, HO-25
- 2) #09-36 – 4688 Beechwood Road, Ellicott City, HO-455
- 3) #09-38 – 3421 Martha Bush Drive, Ellicott City, HO-193
- 4) #09-30 – 3772 College Avenue, Ellicott City
- 5) #09-32 – 8290 Main Street, Ellicott City
- 6) #09-37 – 8147 Main Street, Ellicott City

#08-50c – 9564 Baltimore National Pike, Ellicott City, HO-25

Final tax credit approval.

Applicant: Edward B. Rogers

Background & Scope of Work: On September 4, 2008 the Applicant was pre-approved for tax credits to make repairs to structural load bearing beams. The Applicant has submitted some documentation was the \$45,750 was spent on work, but Staff is awaiting additional documents to ensure the work was all eligible pre-approved work. The Applicant seeks \$4,575 in final tax credits.

Staff Comments: Staff has requested the Applicant submit a detailed bill in order to verify that \$45,750 was spent on eligible pre-approved work as the scope of work from the contractor includes work that is not eligible for tax credits.

Staff Recommendations: Staff recommends Approval of \$4,575 in final tax credits if the additional documents confirm that \$45,750 was spent on eligible pre-approved work.

Testimony: Mr. Hauser asked if applicant was present and Ms. Stoney said the applicant was not able to attend. Ms. Stoney explained that staff received a new itemized bill from the applicant. The bill indicated that \$43,025.00 was spent on eligible pre-approved work. Staff now recommends approval of \$4,302.50 in final tax credits.

Mr. Hauser asked if there was any discussion on the approval. Ms. Tennor stated that it looked like all due diligence was accomplished.

Motion: Mr. Hauser moved to approve the tax credit. Ms. Badart seconded the motion. The vote was unanimous to approve.

#09-36 – 4688 Beechwood Road, Ellicott City, HO-455

Tax credit pre-approval to replace roof and dormer shingles.

Applicant: Allan S. Danoff and Marguerite A. Donnelly

Background & Scope of Work: The Applicant seeks retroactive tax credit pre-approval for replacement of the roof, which was replaced prior to pre-approval due to emergency leaking. The property is not located in a historic district, but is listed on the Historic Sites Inventory and therefore only requires pre-approval and final approval for tax credits. The Applicant dropped off the application at the Department of Planning and Zoning front counter after the deadline for the October meeting. The application noted that the roof was deteriorating, but the Applicant did not inform HDC staff that an emergency condition existed or that consideration at the October meeting was desired. The Application could have been added to the October agenda as an emergency item if the request had been made on the application or through direct contact with staff.

Staff Comments: According to the County Code and Rules of Procedure, all work must be pre-approved in order to be eligible for tax credits. Rule 201.E states “the Commission shall not approve tax credits for any work that is commenced or expenses incurred before the work is initially approved by the Commission.” Section 20.112(4)(b) and (c) of the County Codes defines eligible work as: after the owner receives initial approval of an application for a certificate of eligibility; and in conformity with the application for which initial approval was given. Unfortunately the County Code and Rules of Procedure are very clear that tax credits must be pre-approved.

Staff Recommendations: Staff recommends Denial of tax credit pre-approval.

Testimony: Ms. Stoney stated that the applicant requested the hearing to be delayed until December. Mr. Hauser asked if there was a reason for delaying. Ms. Stoney said the Applicant is trying to seek approval for the tax credit, pending advice from the Office of Law.

#09-38 – 3421 Martha Bush Drive, Ellicott City, HO-193

Replace/repair roof.

Applicant: Linwood Children’s Center

Background & Scope of Work: The building dates approximately to 1840. The Applicants propose to replace the metal flat part of the Mansard roof due to leaking. The roof will be replaced with a metal roof, color to be slate gray.

Staff Comments: The flat roof is slightly visible from certain angles on the property. The Application is consistent with Chapter 6.E recommendations (page 31), “maintain original roof line and dormers” and “replace historic roof materials only when necessary due to extensive deterioration; use replacement material that matches or is similar to the original.” The roof has been repaired and patched many times; the current roof material is not likely the original (although the original may be buried under the current roof).

Staff Recommendations: Staff recommends Approval.

Testimony: Mr. Hauser asked if the applicant was present, but the applicant was not in attendance. Robert Tennenbaum stated that the edge of the flat roof did not look like it was installed correctly and he hoped the new roof would have a better looking edge. Mr. Hauser said he went to the site that day and the roof cannot be seen unless someone is standing at the end of the parking lot looking towards the house. Mr. Tennenbaum stated he would like to know from the applicant what kind of detail is being proposed for the edge and flashing.

The applicant arrived at 7:09 pm. Chairman Hauser swore in the applicant, John Boender, President of Linwood Center Inc. Mr. Boender stated they are in the process of replacing the entire roof, and would be coming back in for December with the samples for the mansard portion of the roof, which is visible. He stated that it is a built up roof and he is not sure what is underneath. He believes it was a metal roof originally, so they are installing a red a metal roof that will match the color of the cupola. Ms. Stoney asked if the new roof was going to be the gray color marked on the sample. Mr. Boender said the roof will not be gray, but will be red to match the cupola. The color will be Colonial Red.

Mr. Hauser asked if there will be a drip edge. Mr. Boender stated there will be a drip edge that will come down over the mansard slate. He thinks that some time ago the gutter system was filled in and some modern aluminum downspouts were installed. He showed the Commission a picture of what is planned for the roof and edge. They will remove all old gutters so that water will flow down over the mansard where it will be picked up by the new gutter system (to be approved in December).

Motion: Ms. Tennor moves to approve the roof replacement as submitted to the Board. Mr. Tennenbaum seconded the motion. The vote was unanimous to approve.

#09-30 – 3772 College Avenue, Ellicott City

Install hot tub.

Applicant: John Ferrara

Background & Scope of Work: This application was first heard at the October 2009 meeting, but the Applicant was unable to attend. The house was built in 1994. It is located in a new subdivision within the historic district and is not a contributing structure. The Applicant proposes to install a hot tub under the existing deck on the rear of the home. The Commission discussed the advisability of using some type of screening material, such as lattice or evergreen trees, would be appropriate to screen the hot tub from view of College Avenue. The Applicant was not in attendance at the meeting, so the Commission voted to continue the Application until the November meeting to discuss screening with the Applicant. The Applicant has since indicated that he is amenable to the various suggestions of the Commission, but would also like to propose the option of using roll-up bamboo shades for privacy screening (subject to the Commission’s approval).

Staff Comments: The hot tub will be located in the back yard, which faces College Avenue. When driving up College Avenue away from Main Street the back yard is slightly visible, however part of the view is blocked by a hill and the area beneath the deck is not visible when the trees are in leaf; it is unlikely to be very visible even in winter. The back decks of the homes are visible from the street, as well as other items in the yards, such as outdoor furniture and storage areas, not under HDC jurisdiction. Staff has no objection to the use of the bamboo rollup shade or other types of screening, such as lattice or plantings.

Staff Recommendations: Staff recommends Approval of the hot tub installation with screening material, if needed, to be determined by the Commission.

Testimony: Chairman Hauser swore in John Ferrara, the applicant. Mr. Tennenbaum did not participate in this case because he was not on the Commission in October when the case was first presented. Mr. Ferrara said he was unsure if the requested screening was for the occupants of the hot tub or for the hot tub itself. Mr. Crozier stated it was a concern of general privacy. Ms. Badart stated that this unit was in a private location, but if neighbors decided to also install hot tubs, they wanted to set a precedent with appropriate screening.

Mr. Hauser stated that a couple of options had been discussed, and that a neighbor had testified at the last meeting about the desirability of screening. The applicant was asked if he had any specified ideas of how to conceal the hot tub. Mr. Ferrara stated that he did not want to install lattice, as he felt it was not pleasant to look at. He said he liked the suggestion of planting evergreen trees or small bushes. Ms. Tennor agreed that the plants would be visually appealing. Samuel Crozier agreed with the idea of the evergreen screening. Mr. Crozier inquired about the view of the hot tub from neighboring townhomes. Mr. Ferrara stated the hot tub is not visible from neighboring decks and would only be visible from the ground level.

Mr. Hauser asked if the Board was satisfied with the idea of shrubbery for privacy. The Commission all agreed upon the evergreen screening. Mr. Hauser asked if the staff could recommend a native plant. Ms. Stoney pointed out that normal gardening activities are not subject to approval, so they may not need to specify the plant to be selected.

Motion: Mr. Crozier moved to approve the hot tub with evergreen shrubs for screening, planted 2.5 to 3 feet apart. Ms. Tennor seconded. The approval of the application was unanimous.

#09-32 – 8290 Main Street, Ellicott City

Install new windows, repairs to exterior, tax credit pre-approval.

Applicant: Mojan Bagha

Background & Scope of Work: This application was first heard at the October 2009 meeting of the Historic District Commission. The Applicant proposed to replace existing wooden windows with vinyl or vinyl clad wood windows. The Commission voted to continue the meeting until November in order for the Applicant to research options for windows on the Main Street façade. Options discussed included repairing the existing wood windows, using sash packs or installing vinyl clad wooden windows. The Applicant seeks tax credit pre-approval for the replacement windows. The Applicant now proposes to install aluminum clad wood windows on the front of the building. The Commission voted at the October meeting to approve tax credits if the Applicant returned in November with a proposal to install wooden windows. On the second floor of the building is a multi-lite door (which appeared to be a window in the photographs) that the Applicant would like to replace with a single-lite door.

Staff Comments: Chapter 6.H (page 40) of the guidelines indicate that “wood windows clad with a permanent finish are a good, low maintenance alternative” to wooden windows. Clad windows are neither recommended for or against in the guidelines. The guidelines do recommend wooden windows be repaired or replaced in the same “style, material, finish and window pane configuration.” Chapter 6.G (page 37-38) recommends replacing doors with “features of the same size, style and finish.” Staff recommends the windows and door be replaced with the same pane configuration, which appears to be 6:6. However, because the majority of the windows being replaced are 1:1, Staff has no objection to the 6:6 windows being replaced with 1:1, which would provide consistency between the two buildings.

Since the Commission indicated they would be willing to consider a clad window, Staff has no objection to the use of the aluminum clad window. Tax credits would only be appropriate if the window was wooden without a clad finish.

Staff Recommendations: Staff recommends:

- 1) Approval of aluminum clad wood windows.
- 2) Denial of tax credit pre-approval.

Testimony: Chairman Hauser swore in the applicant Mojan Bagha. . Mr. Tennenbaum did not participate in this case because he was not on the Commission in October when the case was first presented. Mr. Hauser stated he was recusing himself from participating as he discussed the case with Mr. Bagha outside of the meeting. Vice-Chair Crozier was asked to take over. Mr. Bagha explained that some of the windows are divided with muntins, but he would like to replace all of the windows with 1:1. Mr. Bagha said that he researched the sash packs, which were recommended at the previous meeting, but would prefer to replace the windows entirely. Mr. Bagha wants to use wood windows with an aluminum clad finish. Ms. Tennor asked how many windows were being replaced. Mr. Bagha stated that he is replacing 22 windows on the entire building. Ms. Badart asked if the elliptical fanlights above the windows are being replaced and Mr. Bagha said they are not.

Mr. Bagha asked if he could get a tax credit for the aluminum clad wood windows. Mr. Crozier stated under the guidelines that they must be wood in order to get a tax credit. Mr. Crozier asked Ms. Stoney if the Applicant would be able to get a tax credit by splitting the costs between the window cost and installation cost. Ms. Stoney stated that was not possible because it is not the intent of the program.

Mr. Bagha said he may change the two side windows which were approved last month to be vinyl to aluminum clad wood. Ms. Stoney said Mr. Bagha would have to decide which he preferred so that the Commission could vote on the proposed changes. Mr. Bagha requested to have the option to replace the two side windows with aluminum clad wood.

Motion: Ms. Tennor motioned to approve the application, as recommended by staff, to use the aluminum clad wood windows on the facade of the building and to replace the two side windows with aluminum clad wood, and denial of the tax credit. Ms. Badart seconded the motion. The vote was unanimous to approve.

#09-37 – 8147 Main Street, Ellicott City

Install signs.

Applicant: Heng Pao Long

Background & Scope of Work: The Applicant proposes to install two projecting signs on two existing brackets. The business is located at the end of a narrow alleyway – one projecting sign would be visible from the street, while the other would be located at the end of the alley in front of the business. The projecting signs would be two feet high by three feet wide for a total square footage of six feet. The signs will be made out of wood and will have a green background with white text. The proposed sign will read:

Asia Star
JEWELRY
Diamonds Precious Stones Watches
Fine and Costume Silver Jewelry
Jewelry & Watch Repair
Replace Watch Batteries

The Applicant also proposes to use two freestanding signs, which appear to be “sandwich board” signs. However, Chapter 11.B.5 of the guidelines states “these sidewalk signs are not allowed by the Sign Code and the Historic District Commission has no power to approve them.”

Staff Comments: Chapter 11.A.1 (page 80) of the Guidelines recommends: “Emphasize the identification of the establishment rather than an advertising message on the face of the sign.” Staff suggests limiting the sign to two lines of text of the store name. While Chapter 11.B.3 (page 84) of the guidelines recommends “use only one projecting or hanging sign per building,” it goes on to say, “on buildings with more than one business, each having its own entry from the sidewalk, one sign per entry may be appropriate if the signs are uniform in size and location.” Staff has no objection to the two projecting signs, which are appropriate for the location of the business.

Staff Recommendations: Staff recommends Approval of:

- 1) Sign with text to read “Asia Star Jewelry” on two lines.
- 2) Two projecting signs.

Testimony: Mr. Hauser swore in Heng Pao Long, the Applicant. Mr. Hauser asked Ms. Long about the proposed signs and where they will be hanging. He asked her if she understood the staff comments about reducing the wording on the sign. Ms. Stoney showed her the staff report and Ms. Long indicated that she had not received it. Ms. Long was having a difficult time understanding the conversation as her native language is Cambodian. Ms. Hilsenrath asked if Ms. Long would like to come back in December when staff could arrange for a translator. Chairman Hauser suggested that staff make the decision and have a translator speak by phone with the applicant. If staff is comfortable that the applicant understands the staff suggestions, the Commission will give staff the authority to approve the sign.

Ms. Tennor suggested that the information other than business name could be conveyed by a window sign or entrance design. Mr. Tennenbaum suggested using symbols instead of writing to represent the other information for the sign.

Motion: Mr. Hauser made a motion to defer the decision to staff and let staff make the final approval so the case does not have to be recalled the next month. The negotiation can be done by phone with a translator, to be consistent with staff recommendations and guidelines. Ms. Tennor seconded. The vote was unanimous.

Other Business

Ms. Stoney asked the Commission if they had any recommendations for changes to the new applications. Ms. Tennor said that she would like to see a statement on each application which clearly indicates what the application is for.

Ms. Hilsenrath stated that at the end of November legislation will be prefiled by DPZ to the County Council to add properties to the Historic Sites Inventory. Fifteen properties are proposed to be added to the inventory, which currently has 945 properties listed. The intent is to preserve historic sites throughout the County. Ms. Hilsenrath explained that when staff testimony is provided to the Council, the Department likes to inform the Council that the HDC has reviewed and supported it. Ms. Hilsenrath stated that they have a draft letter to send out to the people on the list to explain what is being proposed, plus a flyer. Mr. Hauser made a motion for the Commission to endorse the addition of properties to the inventory. Mr. Crozier seconded the motion. The Board voted unanimously to approve the motion.

Ms. Hilsenrath discussed the Historic Sites Inventory database, which needs to be updated properly. After database is corrected, she would like to request the County Council re-adopt the Inventory. At that time the department would do a mass mailing to explain to people what being listed on the Historic Sites Inventory means. Ms. Tennor asked who is responsible for updating the database. Ms. Hilsenrath stated that she is working with the Research Division on this.

Ms. Stoney stated that a report was given to each Commission member from the Circuit Rider from the Maryland Association of Historic District Commissions (MAHDC). The report discusses how the Commission and program operate and includes some suggestions and resources. Mr. Hauser asked to have a discussion about the report at the next meeting.

Ms. Stoney stated that the proposed code changes were approved by the County Council in October. At the next meeting, the Rules of Procedure will have to be re-adopted to become effective at the same time as the code changes. Also, the application deadline will change from 15 days to 22 days, starting in December.

Mr. Hauser explained that recently he noticed the Phoenix in Ellicott City was painting the exterior of the building and had not come before the HDC. Ms. Stoney explained that she spoke with the Phoenix and they were painting the building in the same color, which does not require a Certificate of Approval. Mr. Hauser would like to discuss whether there should be a notification process when people in the historic district want to do in-kind changes. Mr. Hauser asked if a memo could be sent to the County inspectors to let citizens know they need to seek HDC approval. Jim Vannoy stated that a letter should be addressed to the head of DILP so they can coordinate this. This will require further discussion.

The meeting adjourned at 8:30 pm.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Elmina J. Hilsenrath, ASLA
Executive Secretary

Joseph Hauser, Chairperson

Carol Stirn, Recording Secretary

T:\DPZ\Shared\RCD\HDC\Minutes\2009\November_minutes.docx